



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/787,194

Filing Date

March 15, 2001

First Named Inventor

Hitoshi Endou

Art Unit

N/A

Examiner Name

Not Yet Assigned

Attorney Docket Number

55620(71526)

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☒ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please
Identify below):Statements Establishing
Unintentional Delay and
Exhibits A-D;
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

EDWARDS ANGELL PALMER & DODGE LLP

Signature

Printed name

Christine C. O'Day

Date

September 27, 2007

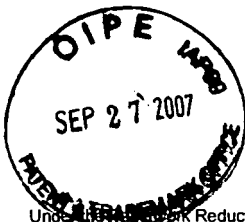
Reg. No.

38,256

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OFFICE OF PETITIONS



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DAC 4

PTO/SB/64 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
55620(71526)

First named inventor: Hitoshi Endou

Application No: 09/787,194

Art Unit: N/A

Filed: March 15, 2001

Examiner: Not Yet Assigned

Title: CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in**

Completion of Filing Requirements and

the form of Sequence Listing (identify type of reply):

☒ has been filed previously on July 6, 2001 and October 23, 2001
(copies are enclosed herewith)

☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

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10/02/2007 TNGUYEN 00000018 041105 09787194

Page 1 of 2

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1500.00 DA

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Christ CH

Signature

September 27, 2007

Date

Christine C. O'Day

Typed or printed name

38,256

Registration Number, if applicable

EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, Massachusetts 02205

Address

(617) 517-5558

Telephone Number

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

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OFFICE OF PETITIONS



Application No. (if known): 09/787,194

Attorney Docket No.: 55620(71526)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM054389408US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 27, 2007
Date

Signature

Lynn Marcus

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 239-0100
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)
Petition for Revival of an Application for Patent Abandoned Unintentionally
(2 pages)
Additional Sheets Containing Statements Establishing Unintentional Delay
(3 pages)
Exhibit A (25 pgs); Exhibit B (16 pgs); Exhibit C (17 pgs); Exhibit D (2 pgs)
Charge \$1,500.00 to Deposit Account No. 04-1105

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Docket No.: 55620 (71526)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hitoshi Endou et al.

Application No.: 09/787,194

Confirmation No.:

Filed: March 15, 2001

Art Unit: N/A

For: CEREBRAL ORGANIC ANION
TRANSPORTER AND ITS GENE

Examiner: Not Yet Assigned

**ADDITIONAL SHEETS CONTAINING STATEMENTS ESTABLISHING
UNINTENTIONAL DELAY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

Dear Sir:

This statement is submitted in support of the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) submitted concurrently herewith.

BACKGROUND

(1) At the outset, it is noted that a Notice of Abandonment has not yet been received by the undersigned firm. However, our case file indicates that no correspondence has been received from the USPTO in over 5 years. As shown in Exhibit A, two Status Inquiries (the first of which was filed concurrently with a Change of Correspondence Address) were filed by our firm; but no response was ever received from the USPTO in either instance. Multiple calls to the USPTO Help Desk have not been returned and following a call earlier today with the Office of Patent Legal Administration, the undersigned Attorney is now concerned that the application may stand abandoned. (The application was filed prior to PAIR so no information is available electronically.)

(2) By way of history, our firm received a Notification of Missing Requirements and a Notification to Comply with Sequence Requirements, both of which were mailed by the USPTO on April 30, 2001. A response to the Notification of Missing Requirements was filed with the USPTO on July 6, 2001 (See Exhibit B – copy of Completion of Filing Requirements – and the date stamped post-card evidencing the USPTO's receipt of same). As part of that submission, duly executed Declaration/Power of Attorney and Assignment documents were enclosed and all fees were paid. Additionally, a Sequence Listing was filed on October 23, 2001 (Exhibit C). Authorization was provided to charge any additional extension fees required to the undersigned firm's deposit account. Subsequent to that, an Information Disclosure Statement was filed on January 16, 2003, and a Supplemental Information Disclosure Statement was filed on February 28, 2003 (see Exhibit D for copies of the respective postcards).

(3) In view of the circumstances, the undersigned Attorney hereby submits the enclosed Petition to Revive, together with a copy of the previously filed Completion of Filing Requirements and Sequence Listing.

(4) If this application does stand abandoned, it is respectfully submitted that the entire delay in filing the required reply (copies of the previously filed Completion of Filing Requirements and Sequence Listing) as required by 37 CFR 1.137, until the filing of a grantable petition under 37 CFR 1.137(b), was **wholly unintentional**.

(5) In view of the foregoing, it is requested that the present application be reinstated and that the change of address submitted on August 24, 2005 (copy attached within Exhibit A) be properly reflected with the USPTO.

It is believed that no additional fees are required. The undersigned requests any extension of time necessary to respond. Please charge all fees, or credit any overpayments, to our deposit account No. 04-1105, under our attorney docket number 55620 (71526).

Dated: September 27, 2007

Respectfully submitted,

By 
Christine C. O'Day

Registration No.: 38,256
EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents For Applicant

EXHIBIT A

Inventor: Hitoshi Endou et al.

Atty Docket No.: 55620(71526)

Application No.: 09/787,194

Filing Date: March 15, 2001

Title: CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE

Documents Filed:

Certificate of Mailing (1 page)

Transmittal Form (1 page)

Status Inquiry for application 09/787,194 (2 pages)

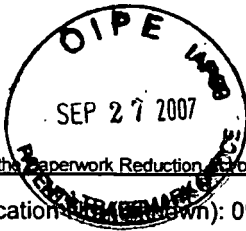
Copy of Completion of Filing Requirements submitted on 7/6/01 (16 pages)

Copy of Change of Address filed on 8/24/05 (5 pages)

Via: First Class Mail

Sender's Initials: CCO/lm

Date: September 4, 2007



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PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application (Serial Number): 09/787,194

Attorney Docket No.: 55620 (71526)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that, on the date shown below, this correspondence and any paper referred to as being attached hereto are being deposited with the United States Postal Service with sufficient postage in an envelope as First Class Mail, addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

on September 4, 2007
Date

Signature

Lynn Marcus

Typed or printed name of person signing Certificate

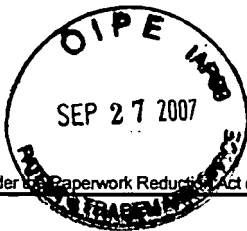
Registration Number, if applicable

(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Second Status Inquiry for application 09/787,194 (2 pages)
Copy of Completion of Filing Requirements filed July 6, 2001 (16 pages)
Copy of First Status Inquiry and Change of Address filed August 24, 2005 (5 pages)



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/787,194

Filing Date

March 15, 2001

First Named Inventor

Hitoshi Endou

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

55620(71526)

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☒ Status Letter☐ Other Enclosure(s) (please
Identify below):

Return Receipt Postcard

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

EDWARDS ANGELL PALMER & DODGE LLP

Signature

Printed name

Christine C. O'Day

Date

September 4, 2007

Reg. No.

38,256

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 4, 2007

Signature: _____ (Lynn Marcus)



Docket No.: 55620 (71526)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hitoshi Endou et al.

Application No.: 09/787,194

Confirmation No.:

Filed: March 15, 2001

Art Unit: N/A

For: CEREBRAL ORGANIC ANION
TRANSPORTER AND ITS GENE

Examiner: Not Yet Assigned

SECOND STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

It is respectfully requested that the attorney named below be advised of the status of the above-identified application. In particular, please advise us of when we might expect to receive an Office Action from the Patent and Trademark Office.

The application was filed on March 15, 2001, and Completion of Filing Requirements was submitted on July 6, 2001 (copy enclosed). Subsequent to that, a First Status Inquiry was filed together with a Change of Address on August 24, 2005 (copy enclosed). Our file indicates that no reply to the Status Inquiry was ever received from the USPTO. The undersigned also notes that no information for the application is available via Public or Private PAIR.

Kindly contact the undersigned to confirm the status of the referenced application at the earliest opportunity. In the event that the application is not in good standing, the undersigned will submit a petition to reinstate the application without delay.

Dated: September 4, 2007

Respectfully submitted,

By 

Christine C. O'Day

Registration No.: 38,256

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant

Mailing Date: **July 6 , 2001**
Client: **71526**
Inventors: **H. ENdou, et al.**
Serial No.: **09/787,194**
Filing Date: **March 15, 2001**

Attorney/Sec: **PFC/lmm**
Docket No.: **55620**
Patent No.:
Grant Date:

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:

**Completion of Filing Requirements; Copy of Notification
of Missing Requirements; Declaration and Power of Attorney;
Assignmmnet; Recordation Cover Sheet; Certificate of
Express Mailing; Express Mail Label No. EL895418233US;
Check of \$280.00; Postcard**

JC17 Rec'd PCT/PTO 06 JUL 2001

Due Date: **7/30/01**

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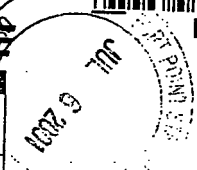
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TO ADDRESSEE



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Time in	Military	\$	
<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight	Int'l Alpha Country Code	COD Fee Insurance Fee	
lbs. ozs.	Acceptance Clerk Initials	Total Postage & Fees	
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BOSTON MA 02209-9169
PEC/1mm 71526/55620

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US PATENT & TRADEMARK OFFICE
WASHINGTON DC 20231-0001
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Practitioner's Docket No. 55620 (71526)

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

PCT/IP99/05120 September 20, 1999 September 19, 1998
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE
TITLE OF INVENTION

H. ENDOU, et al.
APPLICANT(S) FOR DO/US

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

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OFFICE OF PETITIONS

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371

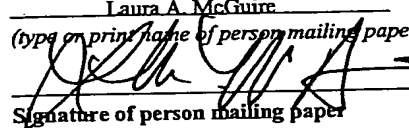
(check and complete the following item, if applicable)

- ☒ This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. 1.494 (FORM PCT/DO/EO/905).
☒ A copy of FORM PCT/DO/EO/905 accompanies this response.

WARNING: Filing requirements, including translation of the international application, the declaration, the national fee and the payment of all the surcharge(s) in connection with the filing of these items after twenty (20) months from the priority may be met within twenty-two (22) months from the priority date. Failure to comply with these requirements will result in abandonment. The provisions of 37 CFR 1.136 for extensions of time do not apply to the 22 month period. 37 CFR 1.61(b).

CERTIFICATION UNDER 37 C.F.R. 1.10*
(Express Mail label number is mandatory.)
(Express Mail certification is optional.)

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date July 6, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL895418233 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Laura A. McGuire
(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.
***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US)
under 35 USC 371—page 1 of 6)

NOTE: The completion of the filing requirements within 22 months (instead of 20 months) from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 CFR 1.491 which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1.494 and § 1.495."

WARNING: Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 20 months from the priority date, the application is still considered to be in the international stage. If mailing procedures are utilized to obtain a date, the express mail procedure of 37 CFR 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 CFR 1.8(2)(xi).

NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371. Otherwise, the submission will be considered as being made under 35 USC 111. 37 CFR 1.494(f).

DECLARATION OR OATH

- I. ☒ No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: For surcharge fee for filing declaration after filing date, complete item IV(2).

NOTE: Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are the name of the inventor and (1) serial number, (2) attorney docket number that was on the application as filed and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration. If identification (4) is used, it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3).

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 CFR 1.10(c).

NOTE: 37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial."

(complete (a) or (b), if applicable)

Attached is a

- (a) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (b) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT

II. (complete as applicable)

- ☐ An amendment in accordance with 37 C.F.R. § 1.121 is attached.
- ☐ The attached amendment cancels claims _____ inclusively.

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OFFICE OF PETITIONS

TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS

- III. ☐ Submitted herewith, is a English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 CFR 1.494(b)(2)).

NOTE: For fee for processing a non-English application, complete item IV(4).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

NOTE: Unlike the filing of an ordinary non-English application (37 CFR 1.52(d) the translation of an international application entering the U.S. national phase need not be verified. 37 CFR 1.494(e). If necessary, however, a verified translation may be required. 37 CFR 1.494(e). Moreover, if the English translation is filed within 20 months from the priority date, no processing fee is required.

- ☐ Submitted herewith, are two (2) copies of Form PCT/IB/306, Notification of the Recording of a Change.

FEES

IV.

NOTE: See 37 CFR 1.28(a).

1. Fees for claims

- ☐ Each independent claim in excess of 3
(37 CFR 1.492(b) \$78.00; Small entity—\$39.00) \$ _____
- ☐ Each claim in excess of 20
(37 CFR 1.492(c) - \$18.00; small entity—\$9.00) \$ _____
- ☐ Multiple dependent claim(s)
(37 CFR 1.492(d) - \$260.00;
small entity—\$130.00) \$ _____

2. Surcharge fees

- ☒ Surcharge set forth in § 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office— \$130.00;
small entity—\$65.00 \$ 130.00

NOTE: The processing fee in the next item (Number 3) below is not subject to a reduction for small entity status.

3.

- ☐ Processing fee set forth in § 1.492(f), for acceptance of an English translation later than 20 months after the priority date—\$130.00 \$ _____

7. ☒ Assignment (See "ASSIGNMENT COVER SHEET".) \$ 40.00

Total fees \$ 170.00

SMALL ENTITY STATUS

RECEIVED

OCT 04 2007

OFFICE OF PETITIONS

V. A statement that this filing is by a small entity

NOTE: See 37 CFR 1.28(a).

(check and complete applicable items)

- a. ☐ is attached.
was filed on _____ (original).
- b. ☐ A separate refund request accompanies this paper.

EXTENSION OF TIME

(complete (a) or (b), as applicable)

VI.

The proceedings herein are for a patent application. The provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked out below:

Extension (months)	Fee for over than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 890.00	\$435.00
<input type="checkbox"/> four months	\$1,390.00	\$680.00
		Fee \$ <u>110.00</u>

If an additional extension of time is required, please consider this a petition therefore.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefore of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VII. The total fee due is:

Completion fee(s)	\$ <u>170.00</u>
Extension fee (if any)	\$ <u>110.00</u>
TOTAL FEE DUE	\$ <u>280.00</u>

PAYMENT OF FEES

VIII.

☒ Enclosed is a check in the amount of \$ 280.00.
☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 CFR 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper, and during the entire pendency of this application, to Account No. 04-1105
☒ 37 C.F.R. 1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (filing fees)
☒ 37 C.F.R. 1.492(b) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing, or on later presentation, must only be paid, or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. 1.17 (application processing fees)
☒ 37 C.F.R. 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a).

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a "quest or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

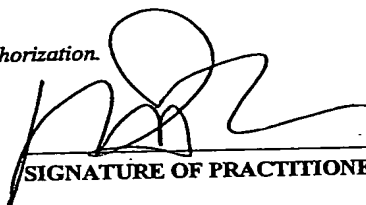
☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311 (b)).

NOTE: *Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).*

NOTE: *37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity*

☒ 37 C.F.R. 1.492(e) and (f) (surcharge fees for filing the declaration and/or an English translation of an international application later than 20 months from the earliest claimed priority date)

WARNING: *It is suggested that you always check this last authorization.*


SIGNATURE OF PRACTITIONER

Reg. No. 33,860

Peter E. Corless
(type or print name of practitioner)

Tel. No.: (617) 517-5557

Edwards & Angell, LLP
P.O. Box 9169
P.O. Address

Boston, MA 02209

PC7/JP99/C512c

55620

OCT 04 2007

PD905673

OFFICE OF PETITIONS

Docket No. 55620

Docket No. 55620
Page 1 of 1

Page 1 of 1

Declaration and Power of Attorney for Patent Application

English Language Declaration

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE

the specification of which

(check one)

- ☒ corresponds to and claims priority of Japanese Patent Application No. 10-265126/1998 and PCT/JP99/05120, filed September 20, 1999.
- ☐ was filed on _____ as United States Application No. or PCT Application No. _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>10-265126/1998</u> (Number)	<u>Japan</u> (Country)	<u>18 September 1998</u> (Day/Month/Year Filed)	[]
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)	[]
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)	[]

[]

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of the United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark office all information known to me to be material to patentability as defined in Title 37, C.F.C., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
PCT/JP99/05120	September 20, 1999	Pending
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*


David G. Conlin	Reg. No. 27,026	Christine C. O'Day	Reg. No. 38,256
George W. Neuner	Reg. No. 26,964	Robert L. Buchanan	Reg. No. 40,927
Linda M. Buckley	Reg. No. 31,003	David E. Tucker	Reg. No. 27,840
Peter J. Manus	Reg. No. 26,766	Lisa Swiszc Hazzard	Reg. No. 44,368
Peter F. Corless	Reg. No. 33,860	George W. Hartnell	Reg. No. 42,639
Cara Z. Lowen	Reg. No. 38,227	Kathleen Carr	Reg. No. 41,658
William J. Daley, Jr.	Reg. No. 35,487	Stewart L. Gitler	Reg. No. 31,256
Steven M. Jensen	Reg. No. 42,693	Kathryn A. Piffat	Reg. No. 34,901

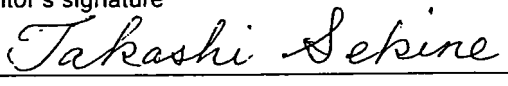
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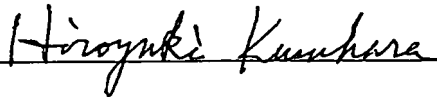
Peter F. Corless
EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman, IP Group
130 Water Street
Boston, Massachusetts 02109
USA

Direct Telephone Calls to:
(name and telephone number)

Peter F. Corless
Telephone: (617) 523-3400
Facsimile: (617) 523-6440

Full name of sole or first inventor	
Hitoshi ENDOU	
Sole or first inventor's signature 	Date: May 31, 2001
Residence	
1-23-7, Yoshinodai, Sagamihara-shi, Kanagawa-ken 229-0022 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

Full name of second inventor	
Takashi SEKINE	
Second inventor's signature 	Date: May 31, 2001
Residence	
1-10-47, Sakae-cho, Tachikawa-shi, Tokyo 190-0003 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

Full name of third inventor	
Hiroyuki KUSUHARA	
Third inventor's signature	Date:
	May 31, 2001
Residence	
5-49-17-102, Sendagi, Bunkyo-ku, Tokyo 113-0022 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Hitoshi ENDOU
Takashi SEKINE
Hiroyuki KUSUHARA

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Japan Science and Technology Corporation

Address: 1-8, Honcho 4-chome, Kawaguchi-shi

City: Saitama 332-0012

State/Prov.: _____

Country: JAPAN

ZIP: _____

Additional name(s) & address(es)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: May 31, 2001

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

09/787,194

March 15, 2001

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter F. Corless

Registration No. 33,860

Address: EDWARDS & ANGELL, LLP

P.O. Box 9169

City: Boston

State/Prov.: MA

Country: USA

ZIP: 02209

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

04-1105

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter F. Corless (Reg. No. 33,860)

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

3

ASSIGNMENT

WHEREAS, I, Hitoshi ENDOU of Kanagawa-ken, Japan, I, Takashi SEKINE of Tokyo, Japan and I, Hiroyuki KUSUHARA of Tokyo, Japan, (hereinafter referred to as "Assignors"), have invented certain new and useful improvements in "CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE", for which an application for United States Letters Patent with the same title shall be filed herewith receiving Serial No. 09/787,194, and a filing date of 3/15/01, and claims priority of Japanese Patent Application No. 10-265126/1998, filed September 18, 1998 and PCT/JP99/05120, filed September 20, 1999.

WHEREAS, Japan Science and Technology Corporation, located at 1-8, Honcho 4-chome, Kawaguchi-shi, Saitama 332-0012 JAPAN, (hereinafter referred to as the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the same invention, and in and to the said application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for the above consideration, the Assignors have assigned and transferred, and do hereby assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest for the United States in and to the said invention and in and to the said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, in whole or in part, re-examinations, and extensions thereof, and all applications claiming priority therefrom; and the Assignors hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as their interest is concerned, to the Assignee; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

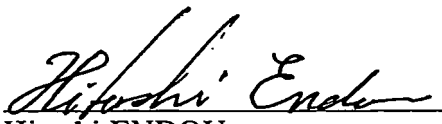
The Assignors also have assigned and transferred, and do hereby assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the invention disclosed in said application, in all countries of the world foreign to the United States, including the right to file applications and obtain patents for said invention in its own name in said countries and including all rights of priority in said countries under the terms of any applicable international convention; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights, and also agree, at the request of the Assignee, to testify in any legal proceedings, sign all lawful papers, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain, maintain and enforce patent protection for said invention in all countries.

The Assignors also hereby grant the law firm of EDWARDS & ANGELL, LLP, Dike, Bronstein, Roberts & Cushman, IP Group, the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, the Assignors have caused this Assignment to be executed.

Dated this 31th day of May, 2001.


Hitoshi ENDOU

Dated this 31th day of May, 2001.


Takashi SEKINE

Dated this 31th day of May, 2001.


Hiroyuki KUSUHARA

TRANSACTION REPORT

P. 01

AUG-24-2005 WED 03:43 PM

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FAX TRANSMISSION

DATE: August 24, 2005

PTO IDENTIFIER: Application Number 09/787,194
Patent Number

Inventor: Hitoshi Endou et al.

MESSAGE TO: U.S. Patent & Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS & ANGELL, LLP
Steven M. Jensen

PHONE: (617) 439-4444

Attorney Dkt. #: 55620 (71526)

PAGES (Including Cover Sheet): 4

CONTENTS: Change of Address of Attorney (1 page)
Status Inquiry for application 09/787,194 (1 page)
Certificate of Transmission (1 page)

FAX TRANSMISSION

DATE: August 24, 2005

PTO IDENTIFIER: Application Number 09/787,194
Patent Number

Inventor: Hitoshi Endou et al.

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PAGES (Including Cover Sheet): 4

CONTENTS: Change of Address of Attorney (1 page)
Status Inquiry for application 09/787,194 (1 page)
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If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

EDWARDS & ANGELL, LLP
P.O. Box 55874, Boston, Massachusetts 02205
Telephone: (617) 439-4444 Facsimile: (617) 439-4170

Application No. (if known): 09/787,194

Attorney Docket No.: 55620 (71526)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 24, 2005
Date



Signature

Michelle Chicos

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Change of Address of Attorney (1 page)
Status Inquiry for application 09/787,194 (1 page)

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: August 24, 2005

Signature:


(Michelle Chicos)

Docket No.: 55620 (71526)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hitoshi Endou et al.

Application No.: 09/787,194

Confirmation No.:

Filed: March 15, 2001

Art Unit: N/A

For: CEREBRAL ORGANIC ANION
TRANSPORTER AND ITS GENE

Examiner: Not Yet Assigned

STATUS INQUIRY

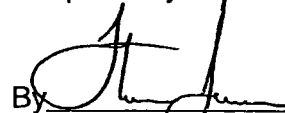
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that the attorney named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive an Office Action from the Patent and Trademark Office.

Dated: August 24, 2005

Respectfully submitted,



By
Steven M. Jensen

Registration No.: 42,693
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents For Applicant

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: August 24, 2005

Signature:


(Michelle Chicos)

Docket No.: 55620 (71526)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hitoshi Endou et al.

Application No.: 09/787,194

Confirmation No.:

Filed: March 15, 2001

Art Unit: N/A

For: CEREBRAL ORGANIC ANION
TRANSPORTER AND ITS GENE

Examiner: Not Yet Assigned

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests that all further communications from the Patent and Trademark Office in connection with the subject application be sent to the following address:

**Edwards & Angell, LLP
Intellectual Property Practice Group
P.O. Box 55874
Boston, MA 02205
Tel.: (617) 439-4444
Facsimile: (617) 439-4170**

Please direct all further communications to the above-identified Customer Number.

Dated: August 24, 2005

Respectfully submitted,

By


Steven M. Jensen

Registration No.: 42,693

Edwards & Angell, LLP

P.O. Box 55874

Boston, MA 02205

(617) 439-4444

Attorneys/Agents For Applicant

EXHIBIT B

Mailing Date: **July 6 , 2001**
71526
Client: **H. ENdou, et al.**
Inventors: **09/787,194**
Serial No.: **March 15, 2001**
Filing Date:

Attorney/Sec: **PFC/lmm**
Docket No.: **55620**
Patent No.:
Grant Date:

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:

**Completion of Filing Requirements; Copy of Notification
of Missing Requirements; Declaration and Power of Attorney;
Assignment; Recordation Cover Sheet; Certificate of
Express Mailing; Express Mail Label No. EL895418233US;
Check of \$280.00; Postcard**

JC17 Rec'd PCT/PTO 06 JUL 2001

Due Date: **7/30/01**



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MA 02209-9169

71526/55620

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4/01 00A6-00 L98SF011631N

Practitioner's Docket No. 55620 (71526)

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

PCT/IP99/05120 September 20, 1999 September 19, 1998
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE
TITLE OF INVENTION

H. ENDOU, et al.
APPLICANT(S) FOR DO/US

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371

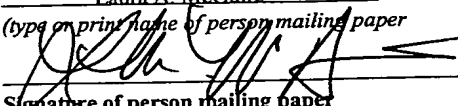
(check and complete the following item, if applicable)

- [X] This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. 1.494 (FORM PCT/DO/EO/905).
[X] A copy of FORM PCT/DO/EO/905 accompanies this response.

WARNING: Filing requirements, including translation of the international application, the declaration, the national fee and the payment of all the surcharge(s) in connection with the filing of these items after twenty (20) months from the priority may be met within twenty-two (22) months from the priority date. Failure to comply with these requirements will result in abandonment. The provisions of 37 CFR 1.136 for extensions of time do not apply to the 22 month period. 37 CFR 1.61(b).

CERTIFICATION UNDER 37 C.F.R. 1.10*
(Express Mail label number is mandatory.)
(Express Mail certification is optional.)

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date July 6, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL895418233 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Laura A. McGuire
(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.
***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US) under 35 USC 371--page 1 of 6)

NOTE: The completion of the filing requirements within 22 months (instead of 20 months) from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 CFR 1.491 which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1.494 and § 1.495."

WARNING: Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 20 months from the priority date, the application is still considered to be in the international stage. If mailing procedures are utilized to obtain a date, the express mail procedure of 37 CFR 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 CFR 1.8(2)(xi).

NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371. Otherwise, the submission will be considered as being made under 35 USC 111. 37 CFR 1.494(f).

DECLARATION OR OATH

- I. ☒ No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: For surcharge fee for filing declaration after filing date, complete item IV(2).

NOTE: Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are the name of the inventor and (1) serial number, (2) attorney docket number that was on the application as filed and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration. If identification (4) is used, it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3).

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 CFR 1.10(c).

NOTE: 37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial."

(complete (a) or (b), if applicable)

Attached is a

- (a) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (b) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT

II. (complete as applicable)

- ☐ An amendment in accordance with 37 C.F.R. § 1.121 is attached.
- ☐ The attached amendment cancels claims _____ inclusively.

**TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS**

- III. ☐ Submitted herewith, is a English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 CFR 1.494(b)(2)).

NOTE: For fee for processing a non-English application, complete item IV(4).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

NOTE: Unlike the filing of an ordinary non-English application (37 CFR 1.52(d) the translation of an international application entering the U.S. national phase need not be verified. 37 CFR 1.494(e). If necessary, however, a verified translation may be required. 37 CFR 1.494(e). Moreover, if the English translation is filed within 20 months from the priority date, no processing fee is required.

- ☐ Submitted herewith, are two (2) copies of Form PCT/IB/306, Notification of the Recording of a Change.

FEES

IV.

NOTE: See 37 CFR 1.28(a).

1. Fees for claims

- ☐ Each independent claim in excess of 3
(37 CFR 1.492(b) \$78.00; Small entity—\$39.00) \$ _____
- ☐ Each claim in excess of 20
(37 CFR 1.492(c) - \$18.00; small entity—\$9.00) \$ _____
- ☐ Multiple dependent claim(s)
(37 CFR 1.492(d) - \$260.00;
small entity—\$130.00) \$ _____

2. Surcharge fees

- ☒ Surcharge set forth in § 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office— \$130.00;
small entity—\$65.00 \$ 130.00

NOTE: The processing fee in the next item (Number 3) below is not subject to a reduction for small entity status.

3.

- ☐ Processing fee set forth in § 1.492(f), for acceptance of an English translation later than 20 months after the priority date—\$130.00 \$ _____

7. ☒ Assignment (See "ASSIGNMENT COVER SHEET".) \$ 40.00

Total fees \$ 170.00

SMALL ENTITY STATUS

V. A statement that this filing is by a small entity

NOTE: See 37 CFR 1.28(a).

(check and complete applicable items)

- a. ☐ is attached.
was filed on _____ (original).
- b. ☐ A separate refund request accompanies this paper.

EXTENSION OF TIME

(complete (a) or (b), as applicable)

VI.

The proceedings herein are for a patent application. The provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked out below:

Extension (months)	Fee for over than small entity _____	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 890.00	\$435.00
<input type="checkbox"/> four months	\$1,390.00	\$680.00

Fee \$ 110.00

If an additional extension of time is required, please consider this a petition therefore.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefore of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VII. The total fee due is:

Completion fee(s)	\$ <u>170.00</u>
Extension fee (if any)	\$ <u>110.00</u>
TOTAL FEE DUE	\$ <u>280.00</u>

PAYMENT OF FEES

VIII.

☒ Enclosed is a check in the amount of \$ 280.00.
☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 CFR 1.26(a).

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper, and during the entire pendency of this application, to Account No. 04-1105
- ☒ 37 C.F.R. 1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (filing fees)
- ☒ 37 C.F.R. 1.492(b) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing, or on later presentation, must only be paid, or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

- ☒ 37 C.F.R. 1.17 (application processing fees)
- ☒ 37 C.F.R. 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a).

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a "quest or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

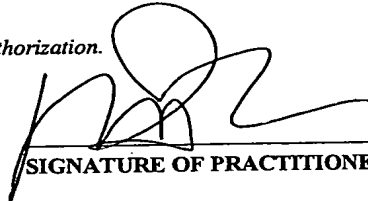
- ☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311 (b)).

NOTE: *Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).*

NOTE: *37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity*

☒ 37 C.F.R. 1.492(e) and (f) (surcharge fees for filing the declaration and/or an English translation of an international application later than 20 months from the earliest claimed priority date)

WARNING: *It is suggested that you always check this last authorization.*



SIGNATURE OF PRACTITIONER

Reg. No. 33,860

Peter F. Corless
(type or print name of practitioner)

Tel. No.: (617) 517-5557

Edwards & Angell, LLP
P.O. Box 9169
P.O. Address

Boston, MA 02209

Declaration and Power of Attorney for Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE

the specification of which

(check one)

- ☒ corresponds to and claims priority of Japanese Patent Application No. 10-265126/1998 and PCT/JP99/05120, filed September 20, 1999.
- ☐ was filed on _____ as United States Application No. or PCT Application No. _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
<u>10-265126/1998</u> (Number)	<u>Japan</u> (Country)	<u>18 September 1998</u> (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of the United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark office all information known to me to be material to patentability as defined in Title 37, C.F.C., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
PCT/JP99/05120	September 20, 1999	Pending
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*


David G. Conlin	Reg. No. 27,026	Christine C. O'Day	Reg. No. 38,256
George W. Neuner	Reg. No. 26,964	Robert L. Buchanan	Reg. No. 40,927
Linda M. Buckley	Reg. No. 31,003	David E. Tucker	Reg. No. 27,840
Peter J. Manus	Reg. No. 26,766	Lisa Swiszc Hazzard	Reg. No. 44,368
Peter F. Corless	Reg. No. 33,860	George W. Hartnell	Reg. No. 42,639
Cara Z. Lowen	Reg. No. 38,227	Kathleen Carr	Reg. No. 41,658
William J. Daley, Jr.	Reg. No. 35,487	Stewart L. Gitler	Reg. No. 31,256
Steven M. Jensen	Reg. No. 42,693	Kathryn A. Piffat	Reg. No. 34,901

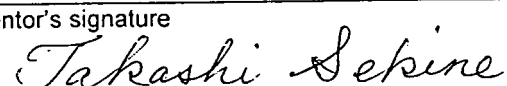
Send Correspondence to:

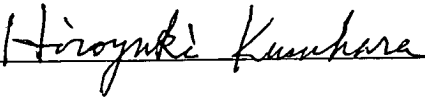
Peter F. Corless
EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman, IP Group
130 Water Street
Boston, Massachusetts 02109
USA

Direct Telephone Calls to:
(name and telephone number)

Peter F. Corless
Telephone: (617) 523-3400
Facsimile: (617) 523-6440

Full name of sole or first inventor	
Hitoshi ENDOU	
Sole or first inventor's signature 	Date: May 31, 2001
Residence	
1-23-7, Yoshinodai, Sagamihara-shi, Kanagawa-ken 229-0022 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

Full name of second inventor	
Takashi SEKINE	
Second inventor's signature 	Date: May 31, 2001
Residence	
1-10-47, Sakae-cho, Tachikawa-shi, Tokyo 190-0003 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

Full name of third inventor	
Hiroyuki KUSUHARA	
Third inventor's signature	Date:
	May 31, 2001
Residence	
5-49-17-102, Sendagi, Bunkyo-ku, Tokyo 113-0022 JAPAN	
Citizenship	
Japan	
Post Office Address	
Same As Above	

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Hitoshi ENDOU
Takashi SEKINE
Hiroyuki KUSUHARA

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: **May 31, 2001**

2. Name and address of receiving party(ies):

Name: **Japan Science and Technology Corporation**

Address: **1-8, Honcho 4-chome, Kawaguchi-shi**

City: **Saitama 332-0012**

State/Prov.: _____

Country: **JAPAN**

ZIP: _____

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

09/787,194

March 15, 2001

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Peter F. Corless**

Registration No. **33,860**

Address: **EDWARDS & ANGELL, LLP**

P.O. Box 9169

City: **Boston**

State/Prov.: **MA**

Country: **USA**

ZIP: **02209**

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ **40.00**

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

04-1105

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter F. Corless (Reg. No. 33,860)

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

3

ASSIGNMENT

WHEREAS, I, Hitoshi ENDOU of Kanagawa-ken, Japan, I, Takashi SEKINE of Tokyo, Japan and I, Hiroyuki KUSUHARA of Tokyo, Japan, (hereinafter referred to as "Assignors"), have invented certain new and useful improvements in "CEREBRAL ORGANIC ANION TRANSPORTER AND ITS GENE", for which an application for United States Letters Patent with the same title shall be filed herewith receiving Serial No. 09/787,194, and a filing date of 3/15/01, and claims priority of Japanese Patent Application No. 10-265126/1998, filed September 18, 1998 and PCT/JP99/05120, filed September 20, 1999.

WHEREAS, Japan Science and Technology Corporation, located at 1-8, Honcho 4-chome, Kawaguchi-shi, Saitama 332-0012 JAPAN, (hereinafter referred to as the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the same invention, and in and to the said application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for the above consideration, the Assignors have assigned and transferred, and do hereby assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest for the United States in and to the said invention and in and to the said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, in whole or in part, re-examinations, and extensions thereof, and all applications claiming priority therefrom; and the Assignors hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as their interest is concerned, to the Assignee; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

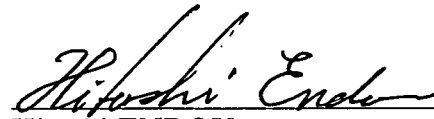
The Assignors also have assigned and transferred, and do hereby assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the invention disclosed in said application, in all countries of the world foreign to the United States, including the right to file applications and obtain patents for said invention in its own name in said countries and including all rights of priority in said countries under the terms of any applicable international convention; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights, and also agree, at the request of the Assignee, to testify in any legal proceedings, sign all lawful papers, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain, maintain and enforce patent protection for said invention in all countries.

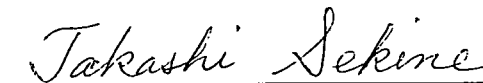
The Assignors also hereby grant the law firm of EDWARDS & ANGELL, LLP, Dike, Bronstein, Roberts & Cushman, IP Group, the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, the Assignors have caused this Assignment to be executed.

Dated this 31th day of May, 2001.


Hitoshi ENDOU

Dated this 31th day of May, 2001.


Takashi SEKINE

Dated this 31th day of May, 2001.


Hiroyuki KUSUHARA

EXHIBIT C



EDWARDS & ANGELL, LLP

DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group
P.O. Box 9169
BOSTON, MA 02209

Mailing Date: October 23, 2001

Client: 71526

Inventors: Hitoshi ENDOU, et al.

Serial No.: 09/787,194

Filing Date: March 15, 2001

Attorney/Sec: PFC/jah

Docket No.: 55620

Patent No.:

Grant Date:

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of
Submission of Sequence Listing Computer Readable Copy: (6) pgs;
Submission of Diskette (1);
Copy of Office Letter date mailed 30 April 2001 (1) page;
Statement that Sequence Listing and hardcopy are the same (2)p.
Petition for One Month Extension of Time;
Check for Petition EOT Fee \$110.00;
Certificate of mailing.

Due Date:

PC/MS-DOS PATENTIN 2.1
ENDOU, HITOSHI et al.
Appl. No.: 09/787,194
Filed: 15-MAR-2001
Data Rec: 05-SEP-2001
Atty. Dkt. No:
55620 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ENDOU, HITOSHI et al.
Application No.: 09/787,194 Group No.: Not Yet Assigned
Filed: March 15, 2001 Examiner: Not Yet Assigned
For: BRAIN TYPE ORGANIC ANION TRANSPORTER AND
ITS GENE ENCODED

RECEIVED

OCT 04 2007

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

OFFICE OF PETITIONS

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE

(check and complete this item, if applicable)

1. ☒ This replies to the Office Letter DATED 30 April 2001.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

☒ A copy of the Office Letter is enclosed.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date

October 23, 2001

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Judith A. Herrick

(type or print name of person certifying)

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Peter F. Corless

(type or print name of person signing below)

state the following:

ITEMS BEING SUBMITTED

RECEIVED

3. Submitted herewith is/are

OCT 04 2007

(check each item as applicable)

OFFICE OF PETITIONS

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. § 1.821(c) and 37 C.F.R. §§ 1.822 and 1.823.
- B. ☐ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. § 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. § 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Serial No.:

Group No.:

Filed:

Examiner:

For:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form

"Sequence Identifier"

(other application)

(this application)

NOTE: *"If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference maybe made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall*

be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. 1.821(e).

- E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. § 1.821(b).

- F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. § 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. § 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

(complete applicable item A and/or B)

- A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

STATUS

5. Applicant is

- ☐ a small entity. A statement:
☐ is attached.
☐ was already filed.
☒ other than a small entity.

EXTENSION OF TERM

6.

NOTE: *"Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period."*

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b) as applicable)

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input checked="" type="checkbox"/>	one month	\$110.00	\$ 55.00
<input type="checkbox"/>	two months	\$390.00	\$ 195.00
<input type="checkbox"/>	three months	\$890.00	\$ 445.00
<input type="checkbox"/>	four months	\$1,390.00	\$ 695.00

Fee \$110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEE PAYMENT

8. ☒ Attached is a check in the sum of \$ 110.00.

☐ Charge Account No. _____ the sum of \$ _____.

A duplicate of this transmittal is attached.

FEE DEFICIENCY

9.

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

10. [X] If any additional extension and/or fee is required, charge Account No. 04-1105.

SIGNATURE(s)

Reg. No. 33,860

Peter F. Corless

(type or print name of person signing statement)



Signature

Oct. 25, 2001

Date

Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
P.O. Box 9169

P.O. Address of Signatory

Boston, MA 02209

(If applicable)

Tel. No.: (617) 439-4444

- ☐ Inventor
- ☐ Assignee of complete interest
- ☐ Person authorized to sign on behalf of assignee
- ☒ Practitioner of record
- ☐ Filed under Rule 34(a)
- ☐ Registration No.
- ☐ Other

(specify identity of person signing)

(complete the following, if applicable)

(type name of assignee)

Address of assignee

Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. 3.73(b)" is attached.

Assignment recorded in PTO on _____

Reel _____ Frame _____



SIGNATURE OF PRACTITIONER

Reg. No. 33,860

PETER F. CORLESS

(type or print name of practitioner)

Tel. No.: (617) 439-4444

P.O. Address

Customer No.: 21874

BOS2_180829.1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787194	ENDOU	H 55620

EDWARDS & ANGELL
DIKE BRONSTEIN ROBERT & CUSHMAN
130 WATER STREET
BOSTON, MA 02109

INTERNATIONAL APPLICATION NO.

PCT/JP99/05120

I.A. FILING DATE

PRIORITY DATE

20 SEP 99

18 SEP 98

DATE MAILED:

30 APR 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Pat Booker, Paralegal

Telephone: 703-305-3738

FORM PCT/DO/EO/920 (March 2001)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 55620(71526)

In re patent application of

ENDO, HITOSHI et al.

Serial No. 09/787,194

Filed: March 15, 2001

For: BRAIN TYPE ORGANIC ANION TRANSPORTER AND ITS GENE ENCODED

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and


3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/787,194

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

Sept. 5, 2001
Date



James A. Coburn

HARBOR CONSULTING
Intellectual Property Services
1500A Lafayette Road
Suite 262
Portsmouth, N.H.
800-318-3021

SEQUENCE LISTING

<110> ENDOU, HITOSHI
 SEKINE, TAKASHI
 KUSUHARA, HIROYUKI

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 Ser Asn Val Trp Ala Arg Val Gly Ser Met Ile Ala Pro Leu Val Lys
 450 455 460
 Ile Thr Gly Glu Leu Gln Pro Phe Ile Pro Asn Val Ile Phe Gly Thr
 465 470 475 480
 Thr Ala Leu Leu Gly Gly Ser Ala Ala Phe Phe Leu Leu Glu Thr Leu
 485 490 495
 Asn Arg Pro Leu Pro Glu Thr Ile Glu Asp Ile Gln Asn Trp His Lys
 500 505 510
 Gln Val Gln Lys Thr Lys Gln Glu Ser Glu Ala Glu Lys Ala Ser Gln
 515 520 525
 Ile Ile Pro Leu Lys Thr Gly Gly
 530 535



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Mailing Date: January 16, 2003
Client: 71526
Inventors: H. Endou et al.
Serial No.: 09/787,194
Filing Date: March 15, 2001
Attorney/Sec: JBA/mch
Docket No.: 55620 (71526)
Patent No.:
Grant Date:

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:

- [1] Information Disclosure Statement (4 pages);
- [2] PTO Form 1449 (1 page);
- [3] References BA-BB and CA-CI;
- [4] Certificate of Mailing by First Class Mail.



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Mailing Date: Feb. 28, 2003
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Patent No.: Not Applicable
Grant Date: Not Applicable

- * Supplemental Information Disclosure Statement (with Certificate of Mailing) (4 pages);
- * Form PTO-1449;
- * Transmittal Letter (1 page);
- * Copy of European Search Report (9 pages);
- * 3 Cited References (one copy of each); and
- * This return postcard.



Due Date: March 22, 2003